IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

CIVIL APPLICATION NO.568 OF 2006

IN

FIRST APPEAL ST.NO.21720 OF 2005

M/s. The New India Assurance Co. Ltd.
Miraj and Islampur. ..Applicant

Versus

Jagannath Shankar Gaikwad & ors. ..Respondents

Smt.Ratna Bhargvan i/bR.Bhargavan & Co. for applicant
Ms.A.B.Kololgi i/b Mr.T.S.Ingale for respondent Nos.1 & 2

CORAM : A.M.KHANWILKAR,J.
DATE : 8TH FEBRUARY, 2006.

P.C.:

1. The explanation offered in the application, in my opinion is not sufficient cause. However, for the mistake of the advocates the litigant should not suffer.

2. In the interest of justice therefore, the application is allowed in terms of prayer clauses (a) and (b) on condition that the advocate on record of the applicant shall pay the cost to the Maharashtra State Legal Services Authority quantified at Rs.500/= within one week from today and produce the receipt of such payment in the office, failing which the office to proceed that this application is dismissed without reference to the court. If the costs are paid in time, first appeal be registered and be listed on board as per its turn.